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Attorneys for Defendant/Limitation Plaintiff

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAII

In the Matter	)	CV NO. 03-00672 SOM-BMK
	)	
of	)	
	)	
The Complaint of MORNING STAR)	)	
CRUISES, INC., a Hawaii	)	
corporation.	)	
	)	CV NO. 04-00588 SOM-BMK
SHIROH FUKUOKA,	)	[CONSOLIDATED]
	)	
Plaintiff,	)	<b>MOTION FOR LEAVE TO FILE</b>
	)	<b>MOTION FOR SUMMARY</b>
vs.	)	<b>JUDGMENT; DECLARATION OF</b>
	)	<b>DESIREE HIKIDA MOKOUOHAI;</b>
MORNING STAR CRUISES, INC.,	)	<b>CERTIFICATE OF SERVICE</b>
	)	
Defendant.	)	Trial: August 22, 2006
	)	Time: 9:00 a.m.
	)	Judge: Hon. Susan Oki Mollway

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**MOTION FOR LEAVE**  
**TO FILE MOTION FOR SUMMARY JUDGMENT**

COMES NOW, DEFENDANT/LIMITATION PLAINTIFF

MORNING STAR CRUISES, INC., by and through its attorneys, the law firm of Chee & Markham, and hereby moves this Honorable Court for an Order allowing the filing of Limitation Plaintiff Morning Star Cruises, Inc.'s Motion for Summary Judgment on its Complaint for Exoneration from or Limitation of Liability.

Defendant/Limitation Plaintiff Morning Star Cruises, Inc. further requests this Honorable Court to set the foregoing motion as a non-hearing motion.

This motion is brought pursuant to Rule 7 of the Federal Rules of Civil Procedure and Rule 7.2 of the Local Rules of Practice for the United States District Court for the District of Hawaii and is supported by the affidavit of Counsel, and the records and files herein.

Dated: Honolulu, Hawaii May 4, 2006.

/s/ Desiree Hikida Mokuohai  
GREGORY K. MARKHAM  
KEITH K. KATO  
DESIREE HIKIDA MOKUOHAI

Attorneys for Defendant/Limitation Plaintiff **MORNING STAR CRUISES, INC.**